

REMARKS/ARGUMENTSStatus of claims

Claims 5 and 9 are amended. Claims 5, 7-10, 15 and 16 are pending.

Discussion

Claims 5, 7-10, 15 and 16 stand rejected under 35 USC 112 for nonenablement in the sense that the specification fails to provide support for the full scope of the invention as claimed. This rejection is traversed but is submitted to be obviated by the present amendment.

Prior to the amendment, it was possible to read claims 5 and 9 as encompassing the use of antibodies made against a synthetic peptide formed from any five amino acids from SEQ ID No.: 1. As amended, claims 5 and 9 encompass the use of antibodies made against "a synthetic peptide consisting of at least a five amino acid portion of SEQ ID NO: 1". Since SEQ. ID. No: 1 consists of 15 amino acids, a peptide "consisting of at least a five amino acid portion" will contain from 5 to fifteen amino acids of the chain. Within this definition, there are 11 possible 5 amino acid peptides, 10 possible six amino acid peptides, 9 possible seven amino acid peptides, etc.... to 1 possible 15 amino acid peptide, the total number of possibilities being 66. The specification shows antibody formation against three of these, of 5, 10 and 15 amino acids, and reactivity of the antibodies formed against these three peptides with toxins. Operability is averred for antibodies formed against all 66 possibilities.

It is submitted that the claims as amended fully supported by the specification and reasonably enabled for their full scope. Favorable reconsideration is therefore requested.

Respectfully submitted:

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